

REMARKS

This Response is to the non-final Office Action dated March 2, 2006. Claims 1 to 44 are pending in the present application. Please charge Deposit Account No. 02-1818 for a Two-Month Extension of Time, taking into account the Small Entity Status of Applicants.

In the Office Action, the Abstract was objected to. The Abstract has been amended accordingly without adding any new subject matter.

Claims 1, 2, 4, 6 to 10, 12 to 15, 17 and 21 to 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,572,700 to Mantarro et al. ("*Mantarro*"). Claims 3, 5, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being obvious in view of *Mantarro* and U.S. Patent No. 4,462,184 to Cunningham ("*Cunningham*"). Claims 3, 5, 11, 16 and 20 were rejected as being obvious in view of *Mantarro* and U.S. Patent No. 5,976,645 to Daluise et al. ("*Daluise*"). Claim 20 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Mantarro* and U.S. Patent No. 4,337,283 to Haas, Jr. ("*Haas*").

Regarding the anticipation rejections of the claims in view of *Mantarro*, Applicants respectfully traverse these rejections and submit that the teachings of *Mantarro* have been misconstrued. Fig. 9 and the Specification of *Mantarro* beginning at column 11, line 49, discuss the use of artificial turf 91 as one application for "a drainage mat in accordance with this invention." (Col. 11, lines 51 and 52). The remainder of the paragraph discusses the use of artificial turf 91 with a resilient mat 92 and drainage mat 94 according to the invention.

The next paragraph talks about a different application for the drainage mat (the invention of *Mantarro*). This different application is a subsurface application, in which an aircraft is mentioned a single time at column 12, line 4. There is no hint or suggestion in the disclosure of columns 11 and 12 to use the artificial turf of Fig. 9 in the subsurface application beginning at the bottom of column 11 and carrying over into column 12. Indeed, the top of column 12 talks about placing the larger of its transverse cross-sectional dimension normal to an area to be drained. This is described as being a vertical orientation and Fig. 4 is referenced, which shows the mat used with pavement 41 and an adjoining shoulder 42, not artificial turf.

There is no hint or suggestion in the portion of *Mantarro* that mentions "airport" to use the drains mat with artificial turf. Accordingly, there is no hint or suggestion of using artificial turf adjacent to a runway or taxiway. Indeed, a search for the terms "runway" and "taxiway"

anywhere in *Mantarro* yielded nothing. Accordingly, Applicants respectfully submit that *Mantarro* does not teach installing a base on an excavated soil surface adjacent to a runway/taxiway and securely installing the artificial turf adjacent to the runway/taxiway so that the edge of the turf adjacent to the runway/taxiway is not removed when an aircraft passes by the edge of the turf as called for in Claim 1.

Also, no teaching in *Mantarro* even hints at the steps of removing an amount of natural grass adjacent to a runway/taxiway and securely installing artificial turf to the runway/taxiway so that the turf is not removed as an aircraft passes by the artificial turf as called for in Claim 21.

Further, there is no hint or suggestion in *Mantarro* for (i) removing an amount of natural surface adjacent to a runway/taxiway, installing a base in place of the removed surface, the base configured and arranged to: (a) support the weight of an aircraft if the aircraft veers off the runway and (b) support the weight of emergency vehicles attempting to reach the runway aircraft even in wet conditions and (ii) covering the base with a synthetic covering, as called for in Claim 24.

Still further, there is no hint or suggestion in *Mantarro* to reduce substantially an amount of food or nesting materials for birds via removal of natural surface in a safety area at an airport and replacing the natural surface with a synthetic covering as called for in Claims 26 and 32, respectively.

Yet further, there is no hint or suggestion in *Mantarro* of reducing substantially at least one food source for an animal by removing a natural surface that supports the food source and replacing the natural surface with a synthetic covering, as called for in Claim 36.

Further still, there is no teaching or suggestion in *Mantarro* for installing a synthetic covering in a safety area of an airport wherein the synthetic covering is uncomfortable for birds or animals to walk on as called for in Claim 41. Regarding Claims 26, 32, 36 and 41, there is no disclosure in *Mantarro* for dissuading birds or animals from loitering in an area of an airport. *Mantarro* concerns a drainage mat, not airport safety.

For the foregoing reasons, Applicants respectfully submit that independent Claims 1, 21, 24, 26, 32, 36 and 41, and each of the claims depending from Claims 1, 21, 24, 26, 32, 36 and 41 are patentably distinct over *Mantarro*. The patentability of the independent claims over

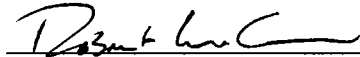
Mantarro renders moot the various obviousness rejections of the dependent claims in view of other prior art.

For the foregoing reasons, Applicants respectfully submit that the above-identified patent application is in condition for allowance and earnestly solicit reconsideration of same. The Examiner is respectfully requested to telephone the undersigned if the attorney can assist in any way in expediting prosecution of this application.

Again, the Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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